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TOWARDS SELF-GOVERNMENT IN THE BRITISH COLONIES

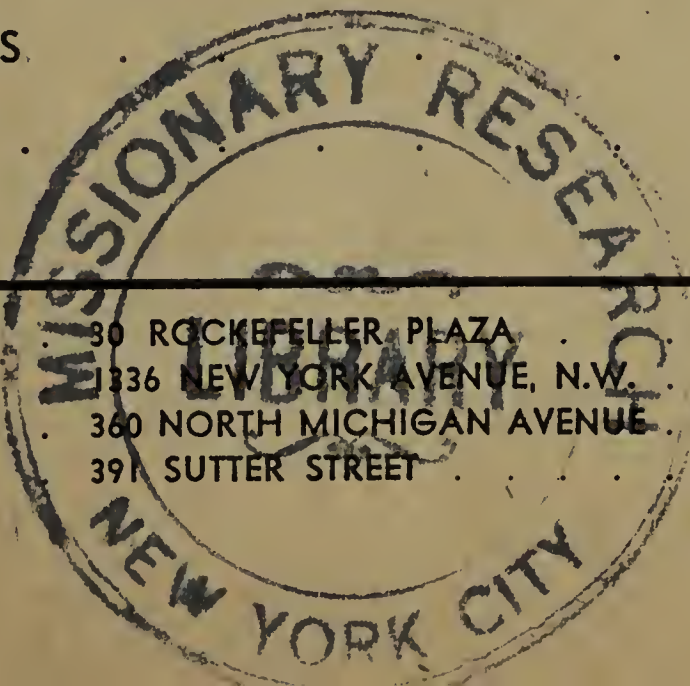
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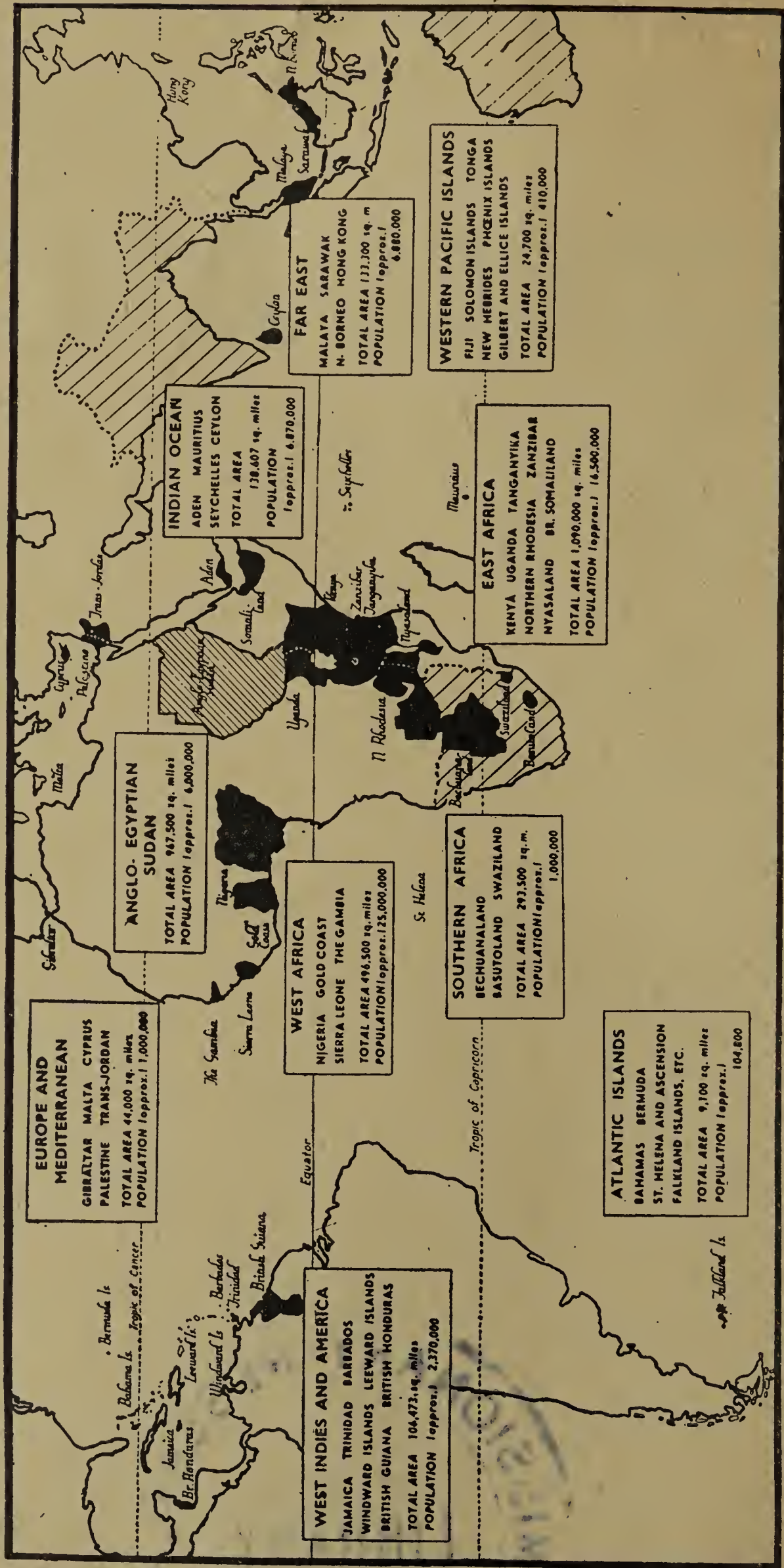
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British Colonies: Some Salient Features



THE BRITISH EMPIRE (COLONIES, PROTECTORATES, MANDATED AND CONDOMINIUM TERRITORIES, OVER 40 IN ALL) IS SITUATED LARGELY IN THE TROPICAL ZONE, AND COVERS AN AREA OF 3,000,000 SQ. MILES. THESE COUNTRIES CAME UNDER BRITISH CONTROL AS A RESULT OF DISCOVERY, SETTLEMENT, TRADE, CONQUEST OR CESSION

TOWARDS SELF-GOVERNMENT IN THE BRITISH COLONIES

I. INTRODUCTION

"They respect the right of all peoples to choose the form of government under which they will live. . . ."

So runs Clause 3 of the Atlantic Charter. It is reasonable to ask: How does this profession square with British practice? Do all the peoples of British colonial territories choose their own form of government? If not, why not? Doesn't self-government for British colonial peoples mean the break-up of the British Commonwealth and Empire?

Before answering these questions let us look again at the Atlantic Charter.

Fifth in the aims it sets forth stands "... economic advancement and social security," for the framers of the Charter realized full well that political freedom was meaningless without economic stability—that you cannot feed empty bellies on ballot papers. Progress towards self-government must go hand in hand with economic progress and educational opportunity. Peoples whose civic sense and sense of nationhood are still unawakened, who have no basic aims in common, have to learn through experience what is meant by the concept of "self-government" before they can know how to choose the form of government they want.

Variety of Conditions

This means that the development of self-government must be a gradual business—for it must depend on processes that in themselves take time: education and economic development. In addition, it must be adapted to widely differing conditions.

In the Colonial Empire, which stretches over the tropics from the West Indies across Africa to the islands of the Pacific, live some 63 million people in more than 50 different territories. Only a small proportion of these people are of European stock; the rest are colored people, two-thirds of them Africans and most of the remaining third Asiatics. Though the 43 million inhabitants of British Africa are all African, they spring from widely differing stocks, speak many different tongues, and are at all sorts of different levels of culture and intelligence. Nigeria alone numbers 20 millions; there the vast Moslem emirates of the north contrast sharply with the pagan kingdoms of the south, while there is little in common between tribes of nomads driving their cattle from one pasture to another and African officials, lawyers and doctors educated in the European tradition. In Nigeria with its great population there is an immense variety of tribes, cultures, languages and religions, their range changing from the primitive animist cultivation to the Mohammedan Emir or Christian lawyer with a European education; and self-government, if it is to bring real freedom, must depend on a reconciliation of these varying interests which in its turn can only come about through economic and educational development. In Kenya the problem is complicated by the ex-

istence of a white settler community and of an Indian community whose immigration was largely Government-sponsored and to whose efforts the opening up and development of the country (by which the Africans have benefited) is largely due. Here self-government must strike a balance between the white settler, the Indian settler and the different African communities.

In Jamaica the original constitution gave wide powers but these were confined to one section of the population, namely the white settlers. Emancipation and education of the Negro population have altered the whole situation. After many changes there has now been granted a new constitution based on universal suffrage.

These are only three examples. But they show that there can be no hard and fast rule, no uniformity of method, no simultaneous flowering of self-government in such varied conditions. "We have no cut and dried pattern," said a former Secretary of State for the Colonies, Lord Cranborne, in 1942: "We have adopted and adapted existing systems, changing them readily as the need arose and experience taught." This flexibility and elasticity has long been a characteristic of British constitutional methods.

The Background of the Past

To the variety of race, culture and standards of the different peoples of the Colonial Empire, and of different peoples in the same area (which may be called the human factor) there is added another factor—the history of their relations with Britain. In many places British government was finally established less than fifty years ago. Before the British arrived these were not happy, peaceful countries enjoying the Four Freedoms. Africa was a prey to tribal warfare and slavery; the Pacific islands were scenes of cannibalism and head-hunting; tyranny, lawlessness and civil war scarred the face of Malaya. Poverty and disease were everywhere.

Until recent years Britain was chiefly concerned with providing the Dependencies with justice and security and promoting their progress towards self-government. Since the 1920's, however, it has been increasingly recognized that political advance is unreal unless it is reinforced by social and economic development. As so many of the peoples of the Colonial Empire are backward or primitive, their chances as citizens of self-governing communities are slight unless they are relieved of the incubus of disease and poverty and are adequately educated, and unless the economic resources of their countries are properly organized and the communications necessary for a healthy trade and effective government are well developed. In every area Britain is faced in varying degrees with the gigantic problem of raising the standard of living of the people, and the challenge has been accepted. It is not within the scope of this pamphlet to describe the schemes for social and economic improvement which are being put into practice nor the plans which are being made for the future, but they must not be forgotten.

Different Forms of Government

In spite of the variety of the British Dependencies, some general classifications can be made. Most of the older Dependencies are known as Colonies and are directly governed under the system known as Crown Colony Government—a system capable of expansion all the

way up to complete self-government. Many of the Dependencies, however, particularly in Africa, are described as Protectorates; and still others, again, are Protected States. In both these types central government operates through a system of indirect rule; that is to say, it governs through the existing native administrations and aims at developing and expanding these existing systems so that the native peoples acquire increasing responsibility. Ceylon and Jamaica are examples of Crown Colonies; Uganda and Nigeria are examples of Protectorates. In a number of areas the original trading settlement became a Colony while the rest of the territory is a Protectorate; for example, the Gold Coast includes a Colony and a Protectorate. In such territories the aim is to develop the political systems in both areas towards a finally integrated form of self-government.

There are certain legal differences in the status of Colonies and Protectorates. Thus while a Colony is British territory under the Crown, in the Protectorate the Crown exercises authority without annexing the territory. In Protected States authority is vested in the sovereign of each State and not in the Crown which derives its functions from treaty agreements conferring certain powers and duties upon it. For administrative purposes, however, the general framework is very similar.

How Progress Is Made

The common denominator of all these Dependencies is the Governor, appointed by the Secretary of State for the Colonies in London and directly responsible to him. The Secretary of State, in his turn, is responsible to the British public through its elected representatives in Parliament. The Governor can rule unassisted; or he can have an Executive Council only; or he can have both an Executive and a Legislative Council; and the Legislative body may consist of one or two Houses. These are the broad variations. Development of responsible government is being brought about by extending the vote, by increasing the number of elected members in the Legislature and finally (as recently in Jamaica) by admitting to the Executive body elected members drawn from the Legislature.

The Ladder of Political Progress

The various stages through which the authority of the people can develop are sometimes likened to the different rungs of a ladder. Between the top and the bottom there is scope for many intermediate steps but their broad stages are these:

On the lowest rung stand Dependencies administered by a Governor alone whose authority is supreme, subject to the approval of the Secretary of State. This is an exceptional form of government.

Next come Dependencies where the Governor, exercising all legislative and executive functions, is assisted by a nominated council composed of the chief European officers—the Colonial Secretary, the Attorney-General, the Treasurer and certain other heads of departments or local inhabitants. In these Dependencies, although the Governor can veto the demands of the members of his council, they are empowered to appeal to the Secretary of State if they so desire.

A step higher and we can see the makings of a regular constitution. Here the Governor with his nominated Executive Council, which

he is required to consult on all save the most urgent matters, has the additional assistance of a Legislative Council, a law-making, tax-raising body. The Legislative Council at first consists entirely of nominated official members, but as soon as the people are politically ready one or more of them are appointed to serve on it, and the Council is later expanded to include elected members. Gradually the elected element is increased until the elected members are in a majority, first over the nominated unofficial members, and then over the nominated unofficial and the official members combined.

Another step and we arrive at representative government. This often takes the form of a Legislative Assembly, entirely elected, something on the lines of the British House of Commons, and a nominated Legislative Council as an Upper House. These two bodies together form the Legislature. The Executive Council is still appointed by the Crown on the advice of the Governor, but the latter begins to nominate to it certain members of the Assembly. At this stage the elected representatives of the people, who form the Lower House, control taxation and have at the least a very large voice in all legislative and executive matters. In some cases, such as the Colonies of Bermuda, the Bahamas and Barbados, the Legislature, comprising the nominated Legislative Council and the elected House of Assembly, has the final voice in matters of legislation and taxation, although the Governor possesses the power of veto, which has not in fact been used in those Colonies for a very large number of years. Although, therefore, it may be said that in such Colonies the ultimate responsibility rests with the Governor, and through him with the Secretary of State, he does not in fact possess the ultimate power which normally accompanies responsibility, since in the vital fields of legislation and finance he has in the last resort only a negative voice.

At the top of the ladder, but below the status of a Dominion, are Dependencies which have achieved responsible government. This means that the Executive Council is transformed into a Cabinet or Board of Ministers representing the majority party of a fully developed parliament, and guides and advises the Governor on practically every aspect of internal policy affecting the territory. This is the essential feature of parliamentary democracy as practised in Britain. Responsibility, formerly vested in the Governor, is now assumed by the Ministers who are directly answerable to the people.

Ceylon already has a form of responsible government which will shortly be further amplified and Malta has been promised full responsible government when the war is over. Jamaica now has a bicameral Legislature and five of the ten members of the Executive Council are elected by the House of Assembly, itself elected by universal franchise. In several of the other West Indian Dependencies, in East and West Africa, in Fiji and in the Seychelles there have also been advances during the five years of the present war.

The succeeding pages aim at giving some account of these various political advances. In spite of the strain and anxiety of total war progress has been continuous and widespread, and this account illustrates the genuine and dynamic quality of Britain's colonial policy of advance to self-government. Nor is this a sudden change of attitude resulting from the pressure of world opinion or the fear of disintegration. It is just the latest chapter in the story of the application of a long-established policy.

II. CEYLON

Development of Representative Institutions in the 18th and 19th Centuries

Most politically advanced of all the territories of the Colonial Empire today is Ceylon. Captured from the Dutch, the island was made a dependency of India in 1796 under a dual civil and military control divided between the Crown and the East India Company. In 1802 Company control came to an end, and, as a Crown Colony, Ceylon was administered for thirty years by a Governor with the assistance of an Advisory Council.

In 1833 the people of Ceylon were first represented in their own government, for it was in that year that a Legislative Council containing European and Ceylonese members nominated by the Governor was established. This Council provided a valuable opportunity for all sections of the community to discuss their grievances and express their wishes, an opportunity which was amplified by the complete freedom of the press. Earlier in the century, after a system of corrupt local government had been swept away, the Ceylon civil service was brought into being, and, equally important, a judicial system consisting of two branches, one for Europeans and one for Ceylonese.

Throughout the nineteenth century the British Government labored conscientiously in an endeavor to bring the peoples of Ceylon to the stage of political development when they could be given control of their internal policy. This was no easy problem, for though the ultimate aim was national autonomy on the dominion model, the question remained: Was Ceylon a nation? Of its five million inhabitants less than three and a half million were Sinhalese and of these one and a quarter millions were of the ancient Kingdom of Kandy and held themselves to some extent apart. In addition there were half a million Ceylon-born Tamils, originally from Southern India and another 700,000 recent Tamil immigrants; and there were two other small but important communities: the descendants of the Dutch burghers and the Europeans. But the problem of welding diverse cultural and racial elements into a united whole had to be faced. It is a significant fact that a hundred years before the League of Nations gave expression to the theory of the trusteeship of native peoples the Government of Ceylon was acting according to the same principle. Under British administration political growth was accompanied by great strides in social and economic progress. Irrigation works long abandoned were restored, a magnificent network of roads and railways was provided and large areas of jungle were reclaimed for agriculture, the island's chief pursuit; while the prosperity of the tea, coconut and plumbago industries swelled the revenue and made available large sums of money which have been spent on the development of agriculture and on educational and medical facilities.

Political Progress: 1927-1944

Politically, a series of alterations and amendments in the constitution culminated in the findings of the famous Donoughmore Commission in 1927-28 and in 1931 a new constitution, based on these findings, came into force. Under it a Legislative Council was replaced by a State Council consisting of 50 members elected for territorial constituencies on the basis of universal adult suffrage.

This State Council was divided into seven Executive Committees, each being responsible for a department of Government, namely, Home Affairs, Education, Agriculture and Lands, Local Administration, Labor, Industry and Commerce, Public Health, Communications and Works. Each Committee elected its own chairman who became the Minister responsible to the Council as a whole. All ordinances were enacted by the State Council with the Governor's assent. Thus the foundations of a system of ministerial responsibility were laid and the Board of Ministers was an approach to the Cabinet system of the British Constitution. The Governor retained control over defense and foreign affairs.

Further advance is now at hand. In 1941 the British Government gave an undertaking to review the constitutional position "by means of a Commission or Conference" as soon as practicable after the end of the war. In 1943 this undertaking was reaffirmed in a statement which emphasized that "the post-war re-examination of the reform of the Ceylon Constitution, to which His Majesty's Government stands pledged, will be directed towards the grant to Ceylon by Order of His Majesty in Council, of full responsible Government under the Crown in all matters of internal civil administration." The 1943 statement, which defined Britain's continuing responsibility for the conduct of defense and foreign affairs and for certain measures affecting currency, the rights of racial and religious communities and of British subjects not residing on the island, went further than the statement of 1941. It gave Ceylon's Ministers the opportunity to start the work of drafting their own constitution and of defining the broad limits within which it might be framed. And, in order to ensure that the constitution would be acceptable to the people of Ceylon, it laid it down that implementation must depend on the approval of three-quarters of the members of the State Council.

By the summer of 1944 the Ceylon Board of Ministers had completed a draft scheme which was submitted to the Secretary of State for the Colonies. On July 5th he was able to announce in the House of Commons that although it had originally been intended that examination of any proposals must wait until the end of the war, consideration of the new constitution was to be hastened by the appointment of a commission which would visit the island (probably towards the end of 1944) to examine the scheme. It was later announced that Lord Soulbury would be Chairman of the Commission whose terms of reference would include examination and discussion of any proposals for constitutional reform; "and after consultation with various interests in the island, including minority communities, concerned with the subject of constitutional reform, to advise His Majesty's Government on all measures necessary to attain that object."

Ceylon is a conspicuous illustration of the problems that confront political progress in a country where there are communities of different races with different cultural backgrounds. Loyalties tend to set in narrow communal molds and the development of a sense of common nationhood is difficult; minority communities are nervous and distrustful, majorities tend to be impatient and overbearing. The goal of democratic government—government of the people, by the people, for the people—is lost sight of in a fog of suspicion and intolerance. As a result of these conditions the British Government, which

had assumed responsibility for the welfare of *all* the peoples of Ceylon, has had to take particular precautions to ensure that the rights of minorities are not ignored and at the same time it has been realized that any emphasis on communal rights tends to perpetuate rather than resolve communal differences. Emphasis is rather laid on the responsibility of Ministers of Government to the whole population regardless of race or community.

III. MALTA

Throughout a history which dates from the Stone Age, Malta (which is the largest of the small group called the Maltese Islands) has been occupied by many different peoples including the Greeks, Romans, Arabs, Normans and Spaniards. In 1798 Napoleon and his army on their way to Egypt seized Malta from the crusading Order of the Knights of St. John of Jerusalem who had occupied it for over 200 years. The Maltese appealed to Britain for help and, as a result, the Royal Navy with the help of the Maltese besieged the French garrison in the harbor town of Valletta until it surrendered in 1800. The Treaty of Amiens in 1802 provided for the restoration of Malta to the Knights. But the Maltese people strongly protested and petitioned for the return of the British, and in 1814 Malta was recognized by the Treaty of Paris as part of the British Empire.

From 1849 onwards the people had a hand in their own government and after the war of 1914-18 they were accorded internal self-government with a Cabinet of Ministers and a bicameral legislature consisting of a Senate and an elected Assembly. Internal party conflict aggravated by Italian Fascist interference led first to the suspension and finally to the withdrawal of the constitution in 1933 in favor of Crown Colony rule under a Governor assisted by a nominated Executive Council.

In 1938, however, internal differences having been resolved, the Secretary of State announced the grant of a new constitution to Malta providing for a Legislature to be known as the "Council of Government" composed of eight official members, two unofficial nominated members, and ten elected members. The Maltese people were thus once more accorded, through their elected members, a measure of responsibility for the conduct of their own affairs. Soon they are to enjoy a far greater measure of responsibility, for the Secretary of State announced in 1943 that Malta is to have a new constitution providing for responsible government in the conduct of internal affairs as soon after the war as the necessary examination of the constitutional, financial and administrative questions involved can be completed.

Malta's political future is conditioned by her geographical position. Her past history makes this obvious and her share in this war underlines it. Malta occupied a key position in the strategy of this war. Like the Dutch boy in the story who stopped up the leak in the dyke with his fist till help came, Malta prevented the Nazi tide from flooding over Africa and the East. But could that have been achieved had Malta not been a member of the British Empire? And that membership also saved her from being herself overrun. Malta can

never stand entirely alone; but there is a future for her in the British Commonwealth of Nations. Her defense will always remain an Imperial responsibility; and that gives a basis of security on which full internal self-government can be freely and rapidly developed. In the same way, the United States will continue to guarantee the defense of the Philippines when they become self-governing.

IV. THE WEST INDIES

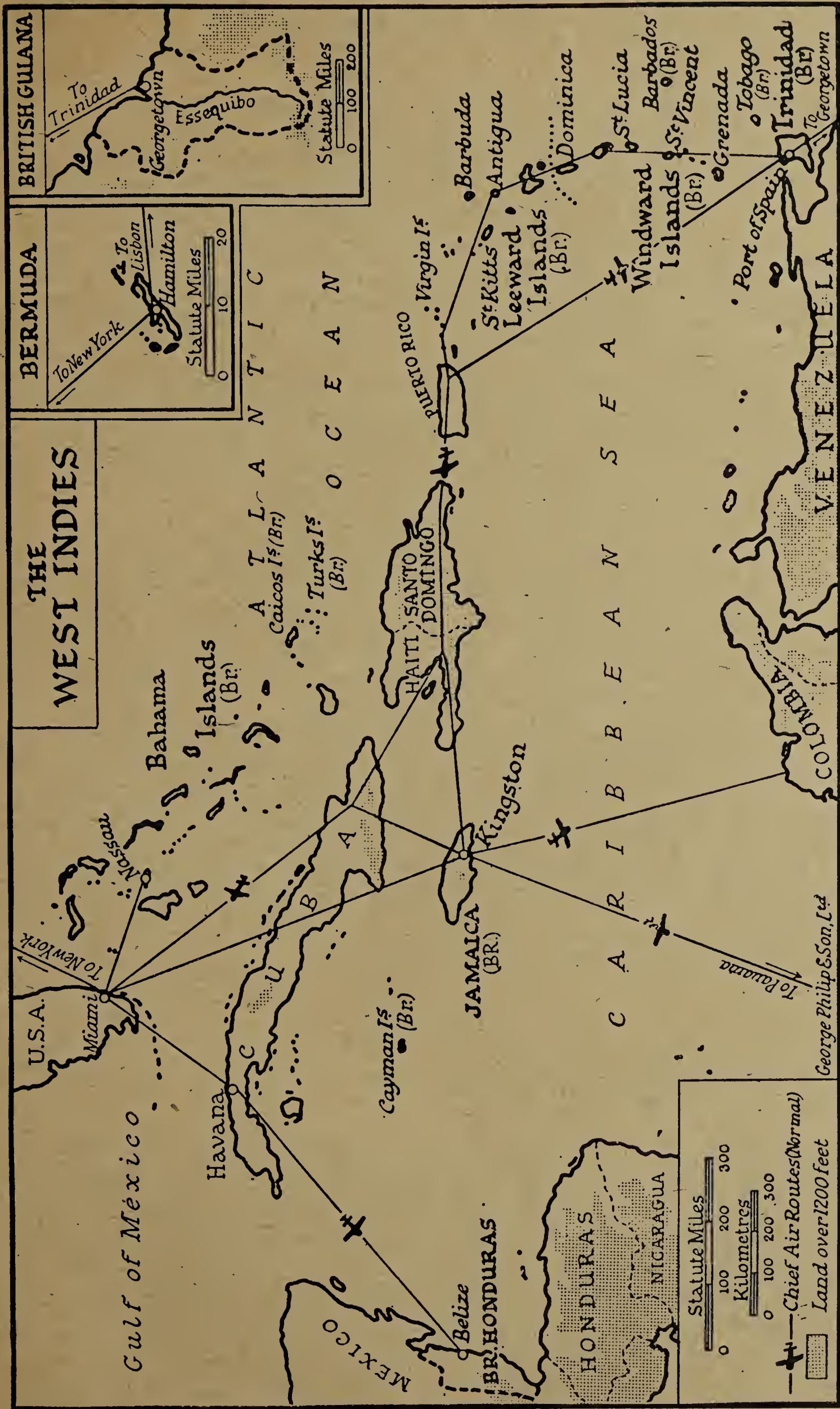
Scattered across the Caribbean Sea lie the islands of the British West Indies, the most important among them being Jamaica, the Leeward and Windward groups, Barbados and Trinidad. British Guiana in South America and British Honduras on the mainland of Central America, and the Bahama Islands which fringe the Atlantic Ocean from the coast of Florida to Cuba and Haiti, are also customarily included in the West Indies for purposes of a political survey, although geographically the inclusion of these three Colonies is inexact. In the present survey it is also convenient to include the isolated Bermuda Islands in the Atlantic.

A Decline in Economic Prosperity Leads to the Loss of Political Responsibility

The history of the West Indies during the seventeenth and eighteenth centuries is the story of a phenomenal rise in economic prosperity accompanied by very wide powers of self-government for European settlers, followed in the nineteenth century by a steep economic decline which resulted, in nearly all the Dependencies, in the loss of self-government and the substitution of direct political control. The third part of the story which we can see today is of another rise towards self-government.

In the early days the West Indies enjoyed great prosperity as producers of sugar and the European planters, through elected legislatures closely resembling those of the Colonies on the North American mainland, managed to a considerable extent their own local affairs. In 1833 came the emancipation of the slaves who had been imported to work on the sugar plantations. This caused an acute scarcity of labor and coupled with the gradual abolition of tariff preferences in the British markets, brought the West Indies perilously near to bankruptcy. With the loss of their position as the principal suppliers of sugar to Europe, there developed widespread poverty and all that goes with poverty—bad housing, lack of adequate health and educational services and so on. And this situation did not apply only in the British Dependencies, it was to become prevalent also in the territories under Dutch, French and American jurisdiction.

Social and economic changes brought about by the deteriorating position of these Colonies had a disorganizing effect on the Legislatures which became less and less representative and increasingly irresponsible and made it almost impossible for the Colonial Governments to discharge their financial responsibilities. Power divorced from responsibility was disrupting the whole political framework. The British Government decided to replace in almost every territory the existing system by a system of government under which a Gover-



nor, with the advice of a nominated council, was responsible for all acts of government to the authorities at home.

Political Revival

Perhaps the most significant feature of the new rise of the West Indies in the political scale is that the population which is now being vested with increasing responsibility is not, as in the old days, a small group of white planters and overseers, but a population more than 80 per cent of whom are the direct descendants of the original slaves.

These people, many of whom must be trained in political responsibility, are also desperately in need of better social and economic conditions. With grants from the funds made available under the *Colonial Development and Welfare Act* a strenuous attack is being made against malnutrition and disease.

The advisory body named the Anglo-American Caribbean Commission also provides a means for co-operation and consultation between the British and American territories over the whole field of social and economic conditions—a most hopeful sign for the future. For it must be remembered that improved social and economic conditions are an essential to full political maturity.

Meanwhile political progress is being made. Since the outbreak of war there have been a number of constitutional advances. The most significant, of course, is the new constitution for Jamaica, but there have been several others which, though small in themselves, are far from unimportant. Thus, in Bermuda and Barbados women have been given the vote and in Barbados there has been a substantial reduction in the franchise qualifications.

In Trinidad and Tobago elected members now have parity in numbers in the Legislative Council with the official and nominated unofficial members combined, and the introduction of universal adult suffrage was approved in 1944. In British Guiana the elected members of the Legislative Council now have a decisive majority over the official and the nominated unofficial members combined and a very substantial reduction in the franchise qualification was approved in 1940.

What was the prelude to these changes?

JAMAICA

17th Century Constitution Based on the North American Model

At the time of its capture from Spain in 1655 the island of Jamaica, although it had been occupied by the Spanish for 150 years, had never really been settled by them. For a few years the British Government kept it under military control, but by 1663 an elected House of Assembly was in being together with a Council of nominated members which acted both as a Privy Council and (during sittings of the Assembly) as a Legislative Upper Chamber.

This constitution, modeled on the constitution introduced into the North American Colonies, served, with variations to suit local conditions, for the other West Indian Colonies also, and an eighteenth-

century historian of Jamaica has described the island's constitution in terms which, in the main, apply to the others: "It is composed of three estates, of which the Governor (as representing the King) is head. Having no order of nobility here the place of a house of peers is supplied by a council of twelve gentlemen appointed by the King; which, in our system of legislature, forms the upper house. The lower house is composed (as in Britain) of representatives of the people, elected by the freeholders."

Discord Between Crown and Legislature Culminates in Crown Colony Rule

The phrase "as in Britain" was one of the rocks on which Jamaica's constitution foundered. The members of the first Assembly, Englishmen whose sympathies in England's Civil War were strongly on the side of the rights and privileges of parliamentary government, assumed that the Jamaica Assembly would have similar powers. One of their first steps, therefore, was to establish, and maintain for the next 200 years, control over the raising and spending of all revenue. Difficulties inevitably arose between the Governor, responsible to the British Crown for the administration, and a legislature so securely in control of finance that no proposal for the expenditure of public money could be made except in the Assembly. This division of responsibility proved fatal. So great was the discord created that the Assembly (whose full term of office was seven years) was dissolved no less than eight times between 1702 and 1711, while in 1785 it met and was dissolved three times in three months.

The emancipation of the slaves, which followed the 1833 abolition of slavery, called for drastic social and economic adjustments which the European population of Jamaica were reluctant to make. Attempts to relieve the constitutional impasse were made on several occasions only to be rejected by the Assembly, ever jealous of its financial privileges. In 1865, a situation, politically hopeless, was inflamed by riots among the Negro laboring classes caused partly by opposition to the West Indian planters and partly by the increased price of food. The riots were put down and martial law declared. The Governor wrote to the Secretary of State for the Colonies: "The real truth is that the people are not fit to elect legislators and there are few persons in the island fit to become legislators." Members of the Assembly, at length aware of the need for drastic constitutional reform, agreed to surrender their powers, and in 1866 the Legislature was dissolved and a Legislative Council consisting entirely of officials and nominated members was set up in its place.

A First Start Is Made

This might have been the end of Jamaica's responsibility for its own government. It was, in fact, only the beginning. In 1883, at the request of the people, nine elected members had been added to the Legislative Council. In 1885 a Local Government Act established elected boards to deal with internal local affairs. In 1895 the constitution was amended to provide for a Legislative Council presided over by the Governor and composed of five official members, not more than ten nominated members and 14 elected members, one for each of the parishes into which the island had been divided. The vote

of nine of the elected members could secure the rejection of any financial proposal and that of all 14 of any other proposed legislation. The Governor retained the right of overriding them in cases of absolute necessity, a right which was very rarely used.

Since that date, although constitutional reforms have been discussed, no change was agreed upon until shortly before the outbreak of the present war. Meanwhile, in 1919, the franchise qualifications were reduced from the low level fixed in 1884 to an even lower level. Men paying 10s. a year in taxes on real property or 30s. a year on personal property, or having an income or salary of £50 a year, were entitled to vote. Jamaican women (the first of the West Indian women to be admitted to the franchise) qualified for the vote on a similar income or salary minimum but a higher rate of taxes—namely £2 a year. The age qualification was 21 for men and 25 for women.

In May, 1939, the Legislative Council appointed a committee of elected and unofficial nominated members to draft proposals for a reform in the existing constitution, thus giving effect to the principle laid down by the present Secretary of State for the Colonies that “the people themselves have been asked to suggest the constitutional machinery which they desire.” The resulting proposals, which were submitted to the Colonial Office and led to an interchange of views between that Office and the recognized spokesmen of the Colony, contained the opinions of the elected members of Jamaica’s Legislative Council and of two influential organizations, the People’s National Party (which had a member on the Legislative Council) and the Federation of Citizens’ Association.

Proposals for a New Constitution: An Important Advance Towards Internal Self-Government

Discussion of the Jamaica proposals and of counter-proposals based on the recommendations (made public in 1940) of the Royal Commission which visited the West Indies in 1938-39 continued until the early months of 1943. On February 23rd, through the Secretary of State, the British Government offered Jamaica a new constitution with a two-chamber legislature consisting of a House of Representatives of not fewer than 24 elected members and a Legislative Council with a strong unofficial majority consisting of three official and 12 unofficial members, each body to elect its own presiding officer.

Members of the House of Representatives, elected by universal adult suffrage, represent constituencies decided on the basis of the recent census in order to ensure equal representation of all parts of the island. This constitution came into force in November, 1944.

The ancient Privy Council has been replaced by an Executive Council, but a Privy Council is retained to advise the Governor on matters relating to the Royal Prerogative. The Executive Council consists of ten members presided over by the Governor. Five of them are elected by the House of Representatives from among its own members and five (three of whom are officials) are appointed by the Governor from the members of the Legislative Council. The Executive Council, which prepares the budget and initiates all money and other bills, is responsible for the administration of the government and is the principal instrument of policy.

The Governor retains certain reserve powers:

(1) The power of veto, that is to say the power to refuse assent to a Bill.

(2) Authority to give the force of law to a Bill, resolution, motion or vote, which he considers necessary in the interest of good government but which is rejected by the Legislature or passed by them with amendments of which he is unable to approve.

As regards (1), the power of veto, the Secretary of State observed that, "Under every Colonial Constitution without exception, when a Bill is presented to the Governor for his assent on behalf of His Majesty, the Governor has a discretion to assent, to withhold his assent, or to reserve the Bill for His Majesty's pleasure. Any fetter expressly imposed by constitutional instrument upon this discretion would be without precedent in the Colonies. Indeed the legal position is the same in the self-governing Dominions, though in their case the practice is, of course, dependent upon principles of constitutional usage. I should see no objection to an understanding that, on the rare occasions upon which the Governor is not prepared to assent to a Bill, he should in practice either reserve it for His Majesty's pleasure, or, before refusing assent consult the Executive Council, and, if they do not agree, the Secretary of State. . . ."

As regards (2) the Secretary of State stated that at this stage some power must be provided to meet the rare and unpredictable occasions when the public interest demands action which the Legislature might be unwilling to take; and it was decided that this reserve power should be exercised by the Governor in accordance with the advice of the Executive Council; that its exercise should be considered only on the written request of the Governor; that any decision to exercise should be reported immediately to the Secretary of State; and that except in cases of urgency it should not be exercised without the Secretary of State's prior approval.

In order to provide an embryo ministerial system, a number of Committees are being set up in the House of Representatives to deal with (a) General Purposes, (b) Agriculture, (c) Education, (d) Social Welfare and (e) Communications. The members of the House elected to the Executive Council are separate and distinct from the Chairmen of the above-mentioned Committees, who form a General Committee for the control of the internal affairs and business of the House. The Chairman of this General Committee is regarded as the Leader of the House. This constitution marks a very real step forward. It is to be given a five years' trial and the position will then be reviewed in the light of the experience gained and with a view to establishing a government which approximates even more closely to autonomy. Meanwhile, through their own votes and their elected members in the House of Representatives and on the Executive Council, all sections of the community are assuming a very considerable measure of responsibility for the wise government of their country.

The political problem in Jamaica, as in the other West Indian Colonies, was the adjustment of the existing political and economic status of the original white settlers to the legitimate political and economic aspirations of the large colored populations descended from the emancipated Negroes. In the early stages after the emancipa-

tion, economic decline led to political decadence, and Britain in many cases assumed closer control in order to stabilize the government and protect the rights of the unorganized and uneducated colored communities.

With advances in education and economic status the Negro descendants have acquired a very considerable share in the work of administration and have become integrated into the community. The crux, however, lies in the power of legislation. To develop a wider sense of responsibility and acquire experience in the co-operation and compromise essential to wise legislation, political risks have to be taken which the original communities are often reluctant to agree to.

The new Jamaica Constitution is an example of the British Government's realization that in the final stages of political education "learning by doing" is the best, in fact the only, method.

BARBADOS

The Barbados Assembly, which comes next in seniority to the Bermudan, was established in 1639. The Legislature today consists of the House of Assembly with 24 elected members and the Legislative Council with nine nominated members. The Governor has no power to authorize measures which have not previously been approved by both Houses of the Legislature but, as in all Colonies, his assent is required before a Bill can become law.

Executive power rests with the Governor who has the advice of a small Executive Council and in certain matters is assisted by an Executive Committee. The members of this Committee (one from the Legislative Council and four from the House of Assembly, together with the members of the Executive Council) form with the Governor a body for the transaction of financial and other public business. The Committee acts as a link between the different branches of the administration, for its members advise the Governor on measures to be brought by the Executive Council before the Legislature. It is also responsible for initiating money votes in the Assembly and preparing the Estimates.

The 1943 concessions, which gave women the vote on equal terms with men, also reduced the freehold property qualification for electors from a yearly value of £5 to £2.10s. and the income qualification from £50 to £20 a year. This means that the majority of agricultural laborers will now be in a position to exercise their vote.

TRINIDAD AND TOBAGO

When Trinidad was ceded to Britain by Spain in 1797, the British Government decided that it would not be appropriate to introduce an elected Assembly on the model of the British settlements in North America and other West Indian dependencies. This decision was chiefly due to a desire to protect the interests of the colored inhabitants by vesting sole authority in the Crown. Gradually, however, the government of the Colony assumed a more representative form. In 1801 the Governor appointed five prominent residents as a Council

of Advice. In 1831 this Council became the Executive Council and, for the first time, a nominated Legislative Council was established. The island of Tobago became part of the Colony in 1889. There were no elected members on the Legislative Council until 1924 when provision was made for seven elected members, six nominated members and 12 official members. The latest amendment to the constitution (made in 1941) makes provision for nine elected members and reduces the number of official members to three, the Colonial Secretary, Attorney-General and Colonial Treasurer. The 1944 Report of the Franchise Committee, which has been accepted by the Secretary of State for the Colonies, not only recommends the introduction of universal adult suffrage but renders women eligible for election to the Legislative Council and substantially reduces the income qualification which that membership entails.

BRITISH GUIANA

When British Guiana was ceded to Britain in 1814 by Holland the old Dutch constitutional machinery was retained. It consisted of a Court of Policy whose members, with the Governor, undertook the functions normally performed by an Executive Council and a Legislature; and a Combined Court which with the Governor, members of the Court of Policy and certain financial members, was responsible for questions of finance and taxation. Apart from the remission of certain taxes resulting from the emancipation of the slaves, there were no changes until 1892 when the administrative functions of the Court of Policy were transferred to an Executive Council, the Court retaining its legislative powers. The year 1928 saw further changes, the outcome of the recommendations of a parliamentary commission which had investigated conditions with a view to ensuring a more rapid development of the Colony and of promoting the well-being of the people. The recommendations led to the substitution of a Legislative Council for the Court of Policy and the Combined Court, the Legislative Council consisting of ten official members, five nominated members and 14 elected members. The 1943 amendment to the constitution, by reducing the number of nominated and official members from 15 to ten, gave the elected members a majority of four over the official and nominated members combined.

In 1944 the Franchise Commission recommended a very substantial reduction in the qualifications necessary for membership of the Legislative Council and for the franchise, and its proposals have been approved by the Secretary of State. These changes will extend the vote to large sections of the manual laboring population.

The Need for Social and Economic Development

It will be seen, therefore, that all these changes are the logical development of constitutions all of which are directed to the same end—internal self-government. The speed of the advance has been hampered in varying degrees by social and economic difficulties. The administrations are now largely staffed by West Indians themselves, but education and social welfare in its broadest sense for large sections of the population still lag far behind the standard of the most advanced section. Educational advance and economic development have been called by the Secretary of State for the Colonies “the twin

pillars upon which any sound scheme of political responsibility must be based." It is in their attainment that the future of the West Indies lies.

V. BERMUDA

With the exception of the House of Commons the Bermuda Assembly is the oldest legislative body in the British Empire. Its constitution, like those of Barbados and the Bahamas, is a survival of the system which applied in the North American Colonies before the Revolution, and which afterwards in Canada, and later in Australia, New Zealand and South Africa, broadened out until it made complete independence within the Commonwealth a working possibility.

"Upon the first of August" (1620) wrote a contemporary historian of the Bermuda Assembly, "began the general assembly at the towne of Saint George which was the first these Iles ever had; consisting, as is said, of the Governor, Councill, Bailiffes, and Burgesses, and a Secretarie to whom all bills were presented and by him openly read in the house, also a clerke to record the acts, being 32 in all; 15 of which being sent into England were by generall consent received and enacted."

Bermuda retained a single Council longer than any of the West Indian Colonies and it was not until 1888 that Executive and Legislative Councils were set up. Four officials serve on the Executive Council—the Colonial Secretary, the Attorney-General, the Colonial Treasurer and the Senior Military Officer. In addition there are three unofficial members. The Legislative Council consists of three official and six nominated unofficial members, and the House of Assembly of 36 elected members. The 1944 concessions which give women the vote on equal terms with men also renders them eligible for election to the Assembly.

The Bermuda Constitution amounts to something approaching full internal self-government although it is not responsible government in the constitutional sense. The final say in matters of legislation and finance—in Barbados and the Bahamas as well as in Bermuda—rests, however, for practical purposes with the Legislature.

VI. INDIRECT RULE IN NIGERIA

The Meaning of Indirect Rule

What is Indirect Rule, or Local Native Administration as it is sometimes called? It is the education of native peoples in the management of their own affairs. The Chiefs and their Councils, under the guidance of British officials, learn to rule according to enlightened standards of humanity and justice but within the framework of their own tribal or state organizations. As their capabilities are proved, so are they entrusted with a growing measure of responsibility for the welfare of their people. Just as these Chiefs and their Councils are trained to a greater measure of responsibility, so their tribal organizations, the ancient systems of government, are not preserved for

their own sakes but as the ground from which more modern organs of administration must be encouraged to develop. Such a system ensures that the traditional Native Authority, even after the impact of European civilization, is never divorced from the responsibilities of administering the people.

In Nigeria, where Indirect Rule was first introduced, the Protectorate is divided for administrative convenience into three areas each under a Chief Commissioner who is directly responsible to the Governor. These three areas are divided into a number of Provinces each under a British official known as a Resident and the Provinces in their turn are divided into Divisions each in charge of a District Officer with a staff of Assistant District Officers. This is the European framework of administration (perhaps scaffolding would be a better term) which is placed round the indigenous African forms of Government such as they were at the time of the British occupation. The work of these European officers, and there are not very many of them, is to maintain and develop the structure of native society and to create within it a self-reliant African civilization.

How It Was Evolved

This policy of Indirect Rule, and the ideal of African self-development which it was intended to foster, we owe to the genius of one of Britain's greatest Colonial Administrators, Colonel (afterwards Lord) Lugard. When the slave trade on the West African coast was finally mastered during the 1870's, the way to peace and progress was still barred; in the north of Nigeria by the powerful Mohammedan emirates, where civil war and slave raiding were rife and where a strong ruler only too often lived by war, plunder and oppression of his subjects; and in the southwest by a group of States where internecine war was common and religious rites were practised which demanded human sacrifice. In the early years of the present century, Lugard subdued, or came to terms with, these rulers and set himself the task of teaching them to govern in reformed and constructive ways. Today Nigeria covers a total of some 373,000 square miles, including the Cameroons, with a population of over 20 millions. Although in the first years Lugard was only responsible for the northern half of this gigantic territory, then called Northern Nigeria, it was obvious that he could not hope to control it, with the very small number of British officers at his disposal, by direct means such as had proved practicable in British India. He turned, therefore, to an expedient which would utilize to the full the services of his British officers and would also give the African people, through their own rulers, the maximum opportunity for development:

Indirect Rule in Action

The initial step in the introduction of Indirect Rule is to identify the traditional authority, who may be a Chief or a Council or the combination of both, whom the people recognize and obey and to give formal legal recognition of this as a "Native Authority" with specific administrative powers. In some districts this has been a simple matter but in others, where a preliminary system of direct government or successive waves of conquest or migration had submerged all trace of traditional leadership, direct rule has been necessary until traditional rule could be revived. "The allegiance of a people to a tribal

head freely and spontaneously accorded without external cause," declared Sir Donald Cameron, who sponsored Indirect Rule in Nigeria and introduced and developed the system in Tanganyika, "is the very essence of true indirect administration. . . . If the people are not prepared to accept the orders of the so-called authority unless we compel them to do so, then of course the administration is not indirect and the Native Authority set up on such a basis is a sham and a snare."

The Importance of Native Treasuries

Just as the constitutions which Britain introduces into the Dependencies vary according to the needs of the people, so does Indirect Rule vary in its application. The smallest and most backward unit may be little more than a group of villages. Here you will find an elected Headman and a council of village elders conducting their own court and trying simple cases according to their own customs. Under the direction of the District Officer these people learn that, out of the money which they pay in taxation, social and economic amenities are provided for the village or collection of villages which form the unit. As soon as they are ready for it they are given a Native Treasury which is their responsibility and which they staff themselves. Court fees, market dues and other local sources of revenue are paid direct into this Native Treasury together with a proportion of the money raised by the annual direct tax, the whole to be expended on maintaining their own social and other services and on schemes for development. As their capacity increases, so their share of this annual tax, which forms their principal source of income, is increased and with it the duties which they are expected to perform. In certain areas, such as the great Moslem emirates of the north and the Yoruba kingdoms of the west, you will find rulers of sometimes as many as 1,000,000 people, the District Officer's duties being confined to consultation and advice.

In every area, backward or advanced, the principle is the same—education towards self-rule, the practice being to allot to the Native Authorities rather more responsibility than they might at first be expected to take and to allow them to profit by their mistakes. The understanding that Native Authorities can direct the expenditure of their own money gives a tremendous impetus to plans for social and economic development, with the result that many of them today play a full and responsible part in the conduct of their own affairs, introducing schemes for sanitation, markets, road and bridge building, the opening of schools and hospitals, health measures, new crops, and a score of other duties.

Indirect Rule in the Emirates of the Northern Provinces: Native Treasuries and Taxation

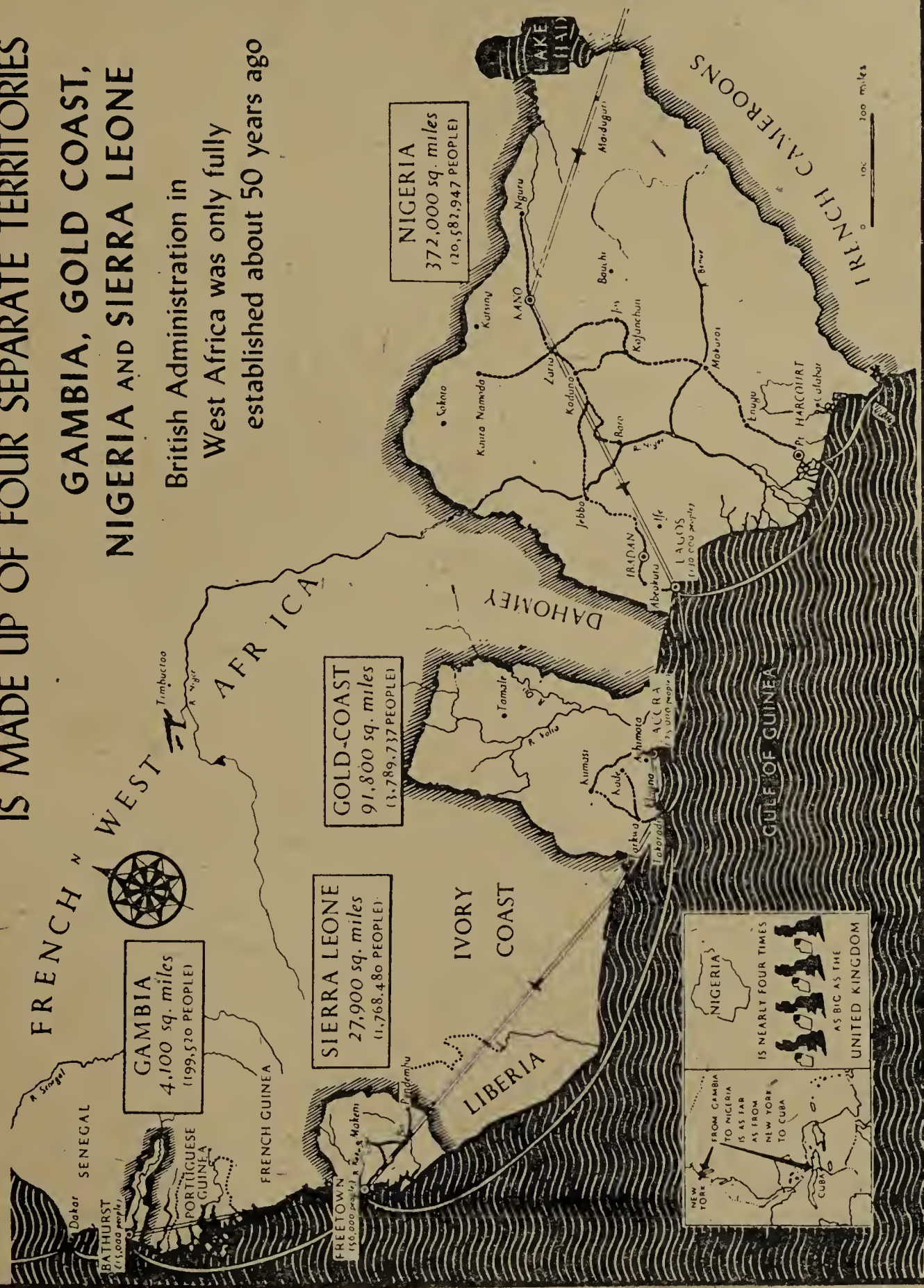
It was in the north of Nigeria that Indirect Rule was first introduced. Here among 38 emirates lie the important States of Kano (with a population of nearly two million), Sokoto (with one and a half million), Katsina, Zaria and Bornu whose Emirs are the acknowledged leaders of their people. Before the experiment began there were already in existence the bases of administrative and taxation systems, Moslem courts of law, and the makings of a professional class in the *mallams*—men educated in Moslem law and scripture. The Native Treasuries then, as now, were the focal point of the organization and

BRITISH WEST AFRICA

IS MADE UP OF FOUR SEPARATE TERRITORIES

GAMBIA, GOLD COAST,
NIGERIA AND SIERRA LEONE

British Administration in
West Africa was only fully
established about 50 years ago



FROM GAMBIA
TO NIGERIA
IS AS FAR
AS FROM
NEW YORK
TO CUBA

NIGERIA
IS NEARLY FOUR TIMES
AS BIG AS THE
UNITED KINGDOM

handled revenue and expenditure. But they were run on very different lines. Forty years ago, with no organized accounting for expenditure, they served as little more than receiving houses for such revenue as managed to reach the Emirs' coffers. Today the Emirs' salaries and the expenses of the administration are met from Native Treasury funds, and the organization is run on up-to-date and efficient lines. The proportion of the income raised by direct taxation handled by the Native Treasuries varies from 50 to 80 per cent and is supplemented by court fees and fines. In 1911 the combined revenue resources of the Native Treasuries of the Northern Provinces was £197,296; by 1929 it had risen to £1,683,567. When the expenses of the administration have been met, every penny of this money is available for social and economic services.

In the case of the Emirs and their councils the degree of their financial control is considerable, and even in the most backward districts, where the District Officer still has to shoulder the lion's share of responsibility, the people are learning to control their finances. The District Officer may, for example, assess the amount of direct tax payable per head of the population of a village unit as 7s. for each able-bodied man, but since the incidence of the tax at this level might lead to certain inequalities he leaves the actual computation to the village elders. They may decide that one man, having done well with his crops and his livestock, can afford to pay 9s. instead of 7s., while another, who has had a poor season, cannot afford more than 5s. Each man's income is, therefore, assessed separately but the final computation will tally with the total sum to be collected from the unit. The agreed assessment is approved, first by the village Headman, then by the district head and is finally submitted to the Emir. In this way the administrative chain which links the village to the Emir is kept intact.

The Power of the Native Courts

Associated with the Native Authorities are the Native Courts in which the laws enforced conform to native law and customs in so far as they do not conflict with British ideas of justice and humanity. The majority of these Courts deal with petty civil and criminal work but some of the more important Native Authorities have Courts of the highest grade, with jurisdiction in capital cases, as the following account of the trial of a homicide case written by the Sultan (or Emir) of Sokoto will show:

"The charge is read over to accused who makes his plea and thereafter the witnesses make their statements and answer the questions of the Court. The whole proceedings are recorded verbatim by the Court Scribe. When the accused and his witnesses have made their statements all retire to let the Court consider its verdict. The Chief Judge, who is the Court's expert adviser on Mohammedan Law, is asked to state into what class of homicide this killing falls and what is the punishment that must be inflicted. He replies that there is no evidence of intent to kill, that the killing in this case is manslaughter and that the limit of punishment laid down by Koranic Law is the payment of compensation to the relatives of the dead man and imprisonment for one year. The Court accepts this opinion, the accused and witnesses are recalled and I pronounce judgment."

Action Affecting the Whole Area

The Sultan of Sokoto and his fellow Emirs have their own Ministers appointed either by them or by their predecessors. The Emirs also appoint the district and village heads who are responsible to them. The States function as separate units but their rulers come together on occasion to discuss matters of common concern. The Annual Conference of Chiefs (so called because in addition to the Emirs one or more Pagan Chiefs attend) has held regular meetings for a number of years. After a discussion on problems affecting their territories as a whole the members disperse to take individual action on the decisions reached. It is significant that whereas in 1930 a number of British officials attended the Conference to help and advise the members, today only one British official (the Secretary) is present and even he has an African "understudy" who will take over the secretarial work as soon as he is qualified to do so.

Relations With the Central Government

There is at present no representative of the Northern Provinces on the Legislative Council of Nigeria, although in the early days of the war a useful link was forged. An unofficial inner cabinet of five or six Emirs was set up to be convened prior to every meeting of the Council. Here the Emirs can discuss proposed legislation affecting their territories with the Chief Commissioner for the Northern Provinces, who embodies in his own speech to the Legislature any amendments they may suggest.

A determined attempt to interest the Emirs in direct representation on the Central Government was made by Sir Bernard Bourdillon as Governor of Nigeria in 1943. He visited them separately and explained the extensive nature of the powers over the finances of Nigeria as a whole (as opposed to expenditure from Native Treasury funds) that are exercised by the Finance Committee of the Legislative Council, which has a strong African majority. The realization that African members from the south could control the spending of money on behalf of the north was new to the Emirs who have since discussed the question in greater detail with British officials.

In a White Paper published in March, 1945, proposals for important changes in the Constitution of Nigeria were outlined by the Governor. These proposals include revision of the Legislative Council so that its scope shall extend to the Northern Provinces. To achieve this, a Regional Council of the Northern Provinces is to be established, which will consist of two Houses, the House of Chiefs and the House of Assembly. The Chief Commissioner for the Northern Provinces will preside over the House of Chiefs. All thirteen first-class Chiefs will sit as of right. Second-class Chiefs are grouped Provincially and one from each group will sit; out of a total of 29 second-class Chiefs there will be seats for about ten.

The House of Assembly will consist of 19 official members (which include all the Residents and Deputy Directors of Government Departments) and 20 unofficial members, 14 of whom will be selected by Native Authorities and six by the Governor to secure adequate representation of important groups of interests not otherwise represented.

These two Houses will serve as electoral colleges from whose members representation on the Legislative Council of Nigeria will be drawn. The House of Chiefs will nominate four members from its own body and the House of Assembly will nominate five. There will then be nine representatives of the Northern Provinces on the new enlarged Legislative Council which will consist of 30 members including the Governor. The Regional Council will at first have no legislative powers, but it will debate Bills before their submission to the Legislative Council, and will have the right to amend budgets.

Indirect Rule in the Western Provinces: Differences in Application

In the north, where the population is predominantly Moslem, the respect for authority which the Moslem faith engenders is an asset in the creation of a smooth-running administrative machine. In the pagan States of the Yoruba, Jukun and others of the Western Provinces the people are by nature far more independent and spirited. Here the rulers and their councils have acquired a very considerable measure of authority, although their powers do not yet approximate to those of the Emirs. The Oba (or ruler) has below him chiefs and village heads but, unlike the Emir, he does not necessarily appoint all these subordinates himself, many of them being the heads of important clans or the holders of various traditional offices. "Given a wise ruler and a good council," said Sir Bernard Bourdillon recently, "the Western Provinces Native Authority is capable of functioning admirably, with very little guidance, as has been amply proved during the manpower shortage of the war, but from the point of view of mechanical perfection it does not come up to the Northern Provinces machine." An annual conference of Chiefs of the Western Provinces has been held regularly since 1937, and is attended by the principal rulers. It is less advanced than the Northern Provinces Conference in that each ruler is still accompanied by the Resident of his territory.

Further progress is about to be made, however. The Governor's proposals for constitutional revision in Nigeria published in March, 1945, include a proposal for the establishment of a Regional Council for the Western Provinces. This is to consist of a single House of Assembly totaling 29 members, of whom 15 are to be unofficial. These unofficial members will be persons of African descent domiciled in Nigeria, and include three Chiefs, seven Provincial members selected by Native Authorities and five members nominated by the Governor to represent aspects of life not otherwise represented. The Chief Commissioner for the Western Provinces will preside over the House of Assembly. Its functions will be the same as those of the Northern Regional Council.

Indirect Rule in the Colony Area: Initial Difficulties Overcome

We come now to two areas each of which has presented peculiar and distinct difficulties in the introduction of Indirect Rule. The first is the Colony area (as distinct from the vast and densely populated area of the Protectorate), a small coastal strip running east and west from Lagos with a population of some 200,000. Indirect Rule in the Colony is a very recent innovation. In 1935 Sir Bernard Bourdillon toured the area and found the people backward and apathetic.

Under direct rule there were, of course, no Native Authorities, and there was no tribal authority beyond a number of petty chiefs with unspecified powers to whom the people neither owed nor paid allegiance. As a preliminary to the setting up of Native Authorities the people were consulted and they met together to discuss the appointment of leaders whom they would respect and obey. In a number of areas, after discussions which lasted for more than a year, unanimity was reached and Native Authorities were established. In others, where no agreement was arrived at, it was necessary to try the temporary expedient of appointing a Native Authority consisting of a native council with a District Officer at its head. That the expedient *was* only temporary is proved by the fact that within two years the District Officers had been withdrawn to be replaced by properly constituted Native Authorities.

The results are proving highly satisfactory. No longer apathetic, the people are beginning to take a lively interest in the welfare of their districts, and the power to spend their own money is turning that interest into constructive channels. The people of one district, once a center of the slave trade, had asked in 1935 for a Government-built motor road into the interior and the Governor had suggested that as a first step they might construct an embankment across two miles of swampland. Within two years of the establishment of their Native Authority these people sent the Governor a message to the effect that they had completed a mile of the embankment, and would be glad of help in order to finish the work.

Indirect Rule in the Eastern Provinces: The Family as Sole Traditional Unit

The second of the two areas which have presented special difficulties is the Eastern Provinces, where Indirect Rule was introduced in 1928. In this region, which has a population of some 5,000,000 (approximately one administrative officer to every 70,000 or 80,000 people), there was no system of direct taxation which would provide Native Authorities with funds to pay their staff and finance their undertakings. The first problem to be faced, therefore, was not merely to introduce and supervise the collection of a small tax, but to persuade the people that their own representatives would have the power to expend a proportion of the proceeds. The second problem was to find any indigenous authority in an area where there seemed to be no social structure at all beyond an intense individualism. It was therefore necessary (to quote Mr. G. G. Shute, one time Chief Commissioner of the Eastern Provinces) "to discover the groupings of the people, what common authority they would recognize and obey, and above all in what way the people could be most fully and thoroughly represented on that authority." A way was ultimately found which did much towards providing a solution to the problem. Exhaustive inquiries had revealed the fact that the family (which might number anything up to 200 people) was the sole traditional unit and that no working organization could be set up without adequate representation of every family. After consultation with the people the expedient was adopted of uniting the families into some 300 small groups, each family being represented on the group council. The strength of this system was that it gave an opportunity for self-expression to men of character and ability; and the realization of the value of money in the

provision of social and economic services gave such stimulus to the task of tax collecting that some of the people have already suggested that they would willingly pay a higher rate. The weakness of the scheme lay in the fact that the councils were too large for the units they served and that the older members were often illiterate and reactionary.

This problem is being solved by the voluntary federation of neighboring units with complete control over their own finances, and by the establishment of local committees. These committees, which consist of the younger and more advanced men of the community, are selected by the members of the councils to whom they are responsible. The councils still meet, but only at intervals, to listen to the recommendation of the local committees which meet regularly, either weekly, fortnightly or monthly. The Secretary of State for the Colonies recently referred to the harmonious collaboration of these bodies as pointing "the way of evolution from the more traditional methods of the past to the more democratic methods of the future."

The White Paper, *Proposals for the Revision of the Constitution of Nigeria*, published in March, 1945, marks a further advance. It proposes a Regional Council for the Eastern Provinces (along with the Councils for the Northern and Western Provinces). The Eastern Regional Council is to have a single House of Assembly consisting of 27 members of whom 14 are unofficial. These unofficial members will be persons of African descent domiciled in Nigeria. Nine of them will be selected by Native Authorities and five will be nominated by the Governor to represent important aspects of life not otherwise represented. The Chief Commissioner for the Eastern Provinces will preside over the Council. Its functions will be the same as those of the Northern and Western Regional Councils.

The Principles of Indirect Rule Applied in Other Parts of the Colonial Empire

This survey of Indirect Rule shows some of the variations in application which exist in a single Dependency. The ideal which it represents is not a new one, for Stamford Raffles had evolved a similar policy for the Far East as far back as the closing years of the eighteenth century, and Arthur Gordon had introduced a similar system into the Fiji Islands in the 1890's. But Indirect Rule as we know it today was born in Nigeria. It functions now in the majority of British African Dependencies, not on a uniform pattern, but adapted to suit the needs of the people of each territory.

By the establishment of the proposed Regional Councils in Nigeria Indirect Rule will become properly integrated into the political development of the country as a whole, and a chain of representation will be created extending from the Legislative Council through these Regional Councils to the Native Authorities and so to the people. At the same time, this type of representation will be in accordance with custom, it will fit in naturally with existing institutions and will be easily understood by the people themselves. Indirect Rule is indeed a good example of government by the people, for the people.

VII. BRITISH TROPICAL AFRICA

DEPENDENCIES IN THE EAST AND WEST

Some Problems Which Have Hindered Progress

By far the largest land area of the British Colonial Empire is occupied by the Dependencies in East and West Africa which also possesses the greatest mass of population. On the east of the continent lie Kenya, Uganda, Nyasaland, Northern Rhodesia, Zanzibar, British Somaliland, and the mandated territory of Tanganyika occupying an area of over a million square miles and supporting a population of some 16 millions. On the west lie the Gambia, Sierra Leone, the Gold Coast and Nigeria and the mandated territories of Togoland and the Cameroons with a much smaller area—less than 500,000 square miles—but supporting a population of 26 millions.

The peoples of Africa have different racial origins and histories and they present a bewildering complexity of language, religion and custom. It has been reckoned that there are in Africa no less than 700 spoken languages, between two and three hundred of which have been reduced to writing since the coming of the white man. Within the four British West African Dependencies alone there are 40 distinct tribal groups speaking as many different languages, together with innumerable smaller tribes each with its own dialect.

The wide differences existing even in a single territory have meant that no one form of government which would be both workable and acceptable to the people could be devised. Indirect Rule, which has been introduced into all the African territories, follows many patterns but has only one aim—to educate Africans to play an ever-increasing part in the management of their own affairs. Africans are also beginning to take a share in the government of their country as a whole.

EAST AFRICA

British interest was first drawn to East Africa by the horrors of the Arab slave trade and during the years between 1856 and 1873 British explorers and missionaries, among them David Livingstone, were penetrating the interior, bent not only on exploration but on unmasking and breaking the traffic in slaves.

ZANZIBAR

The chief ruler of East Africa at this time was the Sultan of the island of Zanzibar. The British Government, having no desire to take over the government of the regions under his control, sought rather to strengthen his regime and to influence him against slavery so that he might be in a position himself to introduce the necessary reforms. Gradually and with infinite pains this was accomplished and by 1881 legitimate trade had begun to supersede the slave trade and the Sultan of the day, backed by British authority, was in a stronger position than ever before.

Within a few years, however, the Sultanate which was changing from a mere over-lordship to a State was overthrown. German agents traveling on the mainland of East Africa had induced unsus-

pecting chiefs to sign away their lands to an organization known as the German Colonization Society. When the Sultan asked for British support against this act of piracy it was refused and, powerless without British protection, he was obliged to relinquish the bulk of his mainland possessions. Germany was only prevented from seizing them all by the formation of the British East Africa Company whose energy was largely responsible for the maintenance of British influence in Uganda and what is now Kenya Colony.

In 1890 Zanzibar together with the neighboring island of Pemba was brought under British protection and in the following year a regular Government was constituted with a British representative as First Minister. Executive and Legislative Councils were set up in 1926, the Government being administered by a British Resident. With the Sultan as President and the Resident as Vice-President, the Executive Council consists of four ex-officio members and two official members appointed by the Sultan with the advice of the British Resident. There are eight official members of the Legislative Council which is presided over by the Resident, and six unofficial members appointed by the Sultan.

In 1929 the British Government formally recognized the son of the reigning Sultan as his heir, and in order to give the Sultan-Designate experience in the conduct of public affairs he was given in 1943 a seat on the Executive Council.

UGANDA

Uganda, with a record of half a century of peaceful progress under British protection, is at an interesting stage of development. By 1893 it had become clear that the strain of maintaining order was too heavy to be borne by the East Africa Company and that the problems caused by a succession of weak or vicious native rulers and augmented by Germany's seizure of the major portion of the East African territories could only be solved by direct participation in the native government.

Relationship Between Buganda and the Crown

Two great British administrators, first Lord Lugard and later Sir Harry Johnston, helped to establish abiding peace and paved the way for internal progress. The new Protectorate had in the province of Buganda a highly developed monarchy of its own with a Kabaka (or king) at its head. In 1900 an Agreement was concluded confirming that the Kabaka should exercise direct rule over the natives of Buganda "to whom he shall administer justice through the Lukiko, or Native Council, and through others of his officers in the manner approved by Her Majesty's Government."

The Kabaka has power, subject to the Governor's approval, to appoint his subordinate chiefs and to make laws concerning the welfare of his subjects who form more than one-quarter of the total African population of the Protectorate.

A reorganization of the Administration of Buganda was announced in October, 1944, by which the Kabaka and his Government assume an increased measure of responsibility for the administration of Buganda.

The other provinces of Uganda—the Eastern and Western—are administered under Indirect Rule, and in the case of the native rulers agreements of a less comprehensive nature than the Buganda Agreement have been entered into.

In 1907 the first British Governor was appointed and in 1921 Executive and Legislative Councils were established, the latter consisting partly of official members and partly of nominated unofficial members with an official majority.

There is as yet no African member of the Legislative Council, which is the body responsible for legislation affecting the Protectorate as a whole, although African interests are represented by the official element which includes the Directors of Medical Services, Agriculture and Education. The Secretary of State declared in June, 1944, that he hoped that Africans would be represented on the Uganda Legislative Council when the time was appropriate, but added that he did not wish this representation to be introduced at the expense of the natural development of existing native assemblies.

Although Buganda might well be expected to provide the first representative, the members of the Lukiko so far appear to be content both with the dignity of their office and with the special relationship which exists between Buganda and the British Government.

KENYA

Meanwhile, Kenya is the first of the East African Dependencies to have an African representative in the Central Government, for the Governor announced in June, 1944, that an African member was to be nominated to serve on the Legislative Council.

Kenya, then known as British East Africa, came under British protection in 1895 when the East Africa Company surrendered its charter to the Crown. In 1919 the territory was annexed and became Kenya Colony, a coastal strip ten miles deep remaining as a Protectorate.

In the early days of the present century settlers from Britain and South Africa began to make homes for themselves in Kenya and after the last war, with Government encouragement, they were joined by others. The settlers (some 20,000 of them) looked to the British Government to defend and further their interests, but the British Government was determined that the interests of an African population of three and a half millions should "not be subordinated to another race, however important in itself." The situation was complicated by the presence of an Indian population of 40,000. Some of them were traders but most of them were laborers who had been employed in the building of the Kenya-Uganda Railway which had dealt a final blow to slavery and had also opened up East Africa to trade. The Indians resented any subordination to the Europeans.

In 1919 Executive and Legislative Councils were set up with the elected members of the latter in the minority. Two Europeans were nominated to safeguard the interests of the African population who were also represented by a strong official element.

Some Recent Political Developments

Local Native Councils were established in 1924 in the Native Reserves and have increased greatly both in numbers and in importance.

In 1943 a Native Authority (Amendment) Bill introduced into the Legislature authorized European Provincial Commissioners to appoint Africans as deputy Vice-Presidents of Local Native Councils. In the absence of the President (the District Officer) an African can now preside at council meetings, and in many districts it is now becoming customary for the President and other European officials to leave a meeting in charge of the Vice-President, returning at the conclusion to learn the result of the Council's deliberations.

The year 1943 saw another advance in the appointment of a Standing Advisory Committee for Local Native Councils with an African majority. This Committee advises the Governor on such important matters as the drafting of budgets for the Councils. In his speech to the Legislative Council on its adjournment in June, 1944, the Governor spoke with appreciation of the ability shown by the African members of the Advisory Committee, adding that the part played by some of the African members of the more advanced of the Local Native Councils had further demonstrated their capability of taking a fuller share in the work of the Government.

It is, therefore, a logical but significant step forward that in October, 1944, an African succeeded one of the two European nominated members who represent African interests on the Legislative Council, and that he was selected by the Governor from a list of names proposed by the Native Councils. With the Governor as President, the Council consists of 11 ex-officio members, nine nominated official members, 11 European elected members, five Indian elected members, one Arab elected member, two nominated unofficial members (one of them African) to represent the interests of the African community, and one nominated unofficial member to represent the interests of the Arab community. "The new African member will find his task a formidable one," wrote the *East African Standard* on the occasion of the Governor's announcement, "but he will not want for sympathetic guidance either from his fellow European nominated member, whoever may be selected for the task, or from the other members of the Council. The Africans in Kenya may take heart from the knowledge that the association with them of other races in the development of this part of Africa has not only *not* resulted in political repression but that the Colony is leading the way in finding an appropriate place for them in its Councils."

NYASALAND

The explorations of Livingstone and the labors of British missionaries first brought the district which lies to the west of Lake Nyasa under British influence. The setting up of missions was followed by the formation of the African Lakes Corporation and in 1883 the first British consul for the territories north of the Zambesi was appointed.

Trouble with the Arab slavers and with certain native chiefs who also carried on the slave trade led in the 1890's to the establishment of a Protectorate. Today administration is in the hands of the Governor assisted by an Executive Council of official members with the addition of two European unofficial members, and a Legislative Council of five official and five unofficial members.

Growth of Political Responsibility

A most important link between the Central Government and the people was formed in July, 1944, with the announcement that an African Provincial Council is being set up in each of the two provinces into which Nyasaland is divided for administrative purposes. Under the presidency of the British Provincial Commissioners for the Southern and Northern Provinces, these Councils, which will be advisory, will be composed of chiefs and other responsible African members. Consultation between the Government and the people through their recognized leaders will thereby be facilitated, and the development of political responsibility among Africans will be advanced. As soon as the Provincial Councils have made sufficient progress and gained enough experience an African Council for the Protectorate as a whole will be established.

NORTHERN RHODESIA

Until 1911 Northern Rhodesia was administered jointly with Southern Rhodesia under the direction of the British South Africa Company. In 1923, when Southern Rhodesia received local responsible government, Northern Rhodesia remained under the administration of a Governor and an Executive Council since its governmental problems approximated to conditions prevailing in the Dependencies of East Africa. Until 1944 the Legislative Council, with the Governor as President, consisted of five ex-officio members, four nominated official members, and eight members elected by the Europeans on a franchise limited on a property basis, together with one nominated official member representing the interests of the African community. Provision regarding the native population was in the hands of the Governor.

On October 18, 1944, the Secretary of State announced an increase in the unofficial element. With the Governor as President, the Legislative Council will consist of nine official members, eight elected unofficial members and five nominated unofficial members. "It is intended," said the Secretary of State, "that African interests should be represented by Africans as soon as a suitable basis of representation can be built up. Provincial African Councils have recently been established in the territory, and when these have had sufficient experience, an African Central Council will be set up consisting of delegates from the Provincial Councils." It is intended that from this Central Council African members will be drawn to serve on the Legislative Council to represent the interests of their own people. Although African interests are still represented by Europeans, it will be open to the Governor to replace them by Africans if vacancies occur during the interim period before Africans can be appointed from the Central Council.

TANGANYIKA

Tanganyika Territory, formerly German East Africa, was mandated to Britain after the war of 1914-18. It is administered by a Governor assisted by an Executive Council and Legislative Council in both of which the official element predominates.

Indirect Rule (see Section VI) was introduced into Tanganyika by Sir Donald Cameron during his term of office as Governor from

1925 to 1931. Under this system considerable progress is being made in the education of the people towards responsibility for the conduct of their own affairs. A recent development is the enactment of an Ordinance empowering the Native Authorities to levy at their own discretion a small local tax in addition to the direct tax which they are already responsible for collecting. As a result the Native Authority of one district (the Pare district of Tanga Province) introduced a system of graduated taxation in 1943. With supervision and advice from the District Commissioner, the Native Authority now assesses the tax to be paid by each man in the district, and in cases where payment might be considered a hardship, it is empowered to remit the tax altogether.

A Central African Council

In October, 1944, the Secretary of State announced the establishment of a standing Central African Council, covering Northern and Southern Rhodesia and Nyasaland. This Council, which will be on a permanent basis, will be consultative, its general functions being to promote the closest contact and co-operation between the three Governments and their administrative and technical services. It is contemplated that the Council will deal with communications, economic relations, industrial development, research, labor, education, agriculture, veterinary and medical matters; also currency and such other matters as might be agreed between the three Governments.

As Southern Rhodesia already has internal self-government, it is not included in this survey.

WEST AFRICA

A more rapid spread of education in the West African Dependencies has helped the people to arrive at a far higher degree of political responsibility than has yet been achieved in the Dependencies of East Africa.

Each of the West African territories consists of a coastal portion formally annexed as a Colony and an area inland under British protection. There are, of course, certain legal and political distinctions in the administration of Colony and Protectorate but the tendency is for both areas to be administered on the same lines on major questions of government.

English traders had visited the West African coast from the middle of the sixteenth century onwards but it was not until 1783 that British occupation of a number of isolated points became continuous. In the early years Englishmen as well as African rulers and members of other nations helped to carry on the slave trade. In 1807, however, the Act was passed which forbade British subjects to engage in it. The Royal Navy soon put an end to slaving under the British flag but it was not until about 1870 that the transport of slaves overseas really ceased.

SIERRA LEONE

Originally founded as a settlement for freed slaves in the closing years of the eighteenth century, Sierra Leone was ceded by its native

ruler to the newly formed Sierra Leone Company. For the first few years the settlement suffered from disease and famine and in 1807-8 the Company transferred its responsibility to the Crown. Slave trading which was still being carried on in the interior led to British intervention and to the cession of additional land to the Crown. The possibilities of opening up the interior to trade caused an extension of British influence and in 1896, the demarcation of the northern boundary between the British and French spheres of influence having been ratified, the hinterland of Sierra Leone was declared a British Protectorate.

The government of both Colony and Protectorate is administered by the Governor assisted by an Executive and Legislative Council. In 1924 an elective element was introduced into the Legislative Council together with direct representation of Protectorate interests, and the Council, with the Governor as President, now consists of 11 official members and 10 unofficial members, three of the unofficial members being elected and six of them Africans.

African Members of the Executive Council

In 1943, two African unofficial members, one of them a Paramount Chief, were appointed to the Executive Council, thus bringing the Council into line with those of the Gold Coast and Nigeria to which African members had been appointed the previous year.

The reconstitution of the Freetown City Council has recently been approved in order to provide for an elected majority and substantial enlargement of the Council's functions and responsibilities.

In practically all the Government Departments Africans now hold responsible posts, and it is the declared policy of the Government to increase steadily the number of such officers. With this object in view generous provision is now made by Government scholarships for the higher education and professional training of local candidates.

The Protectorate is administered according to the principles of Indirect Rule. The Nigerian model is not closely followed because, owing to the gigantic difficulties of communication in thickly wooded country, African society in Sierra Leone is organized in small Chiefdoms which have grown up independently of one another. Little had been done about setting up local Treasuries until 1936, when a start was made in certain of the larger and more advanced Chiefdoms in the eastern part of the Protectorate. As a basis, the various contributions in kind and in labor, which had traditionally been made by the people to their Paramount Chiefs and to their village Headmen, were commuted for a fixed sum per house. This generally was set at the rate of 4s. and is collected annually. From the sums so raised salaries of the officials of the administrations, which average about 40 per cent of the total income, are paid, the remainder of the money being available for development schemes, such as schools, court buildings, roads, dispensaries, etc. The chiefdom organization in the Protectorate resembles that of Southern Nigeria both in the size and political character of the units rather than the emirates of Northern Nigeria. It is hoped that amalgamation of small units with the consequent reduction of overhead charges will take place, but the Africans are naturally conservative in these matters and local interests are not easily reconciled. At the present moment approximately half

the inhabitants of the Protectorate are living under the aegis of Native Treasuries which are functioning satisfactorily.

THE GAMBIA

British trading stations were first established in the Gambia during the seventeenth century and after a difficult beginning and many setbacks the area enjoyed 20 years of comparative prosperity under the direction of the Royal African Company. In due course the Company became involved in financial troubles and in 1765 responsibility was vested in the Crown. Until 1886, with one brief interval, the Gambia was administered jointly, first with the Crown Colony of Senegambia and later with Sierra Leone. In 1889, by agreement with the French, the boundaries of the Colony were set. By 1902, with the exception of the island of St. Mary on which Bathurst, the capital of the Colony is situated, the whole of the area had been brought under the protectorate system.

Government is administered by the Governor assisted by an Executive Council composed of officials and a Legislative Council which includes four unofficial nominated members, three of them Africans.

Recent Developments

Although there are as yet no African members of the Executive Council considerable political progress has been made in the Gambia during the past few years. An elective element is to be introduced into the Legislative Council, for there will, in future, be an elected member, who may be European or African, to represent the one urban constituency of the territory. Of the three members to be nominated to the Council, two must be Africans, one of them representing the Protectorate as distinct from the Colony.

In March, 1944, the first joint conference of Chiefs representing the Dependency as a whole was held. The Chiefs who were present at the conference were invited to submit a list of suitable candidates to the Governor for nomination to the Legislative Council. On this occasion the Governor announced the appointment of a special Commissioner to act as a link between the Central Government, the four British Provincial Commissioners who administer the four Provinces into which the Protectorate is divided, and the Native Authorities. One of the new Commissioner's first duties will be to conduct an investigation with the object of setting up Native Treasuries in the Dependency, for the Native Authorities of the Gambia have not yet reached the degree of financial authority enjoyed by the Native Authorities of the other West African territories who are, as we have seen, empowered to spend a proportion of the money which they collect in taxation, and in some cases to levy taxes themselves. Recent legislation, however, has authorized the imposition of local taxes by the Native Authorities and the expenditure of the proceeds by the Authorities within their respective areas.

Local government, too, has seen an advance. Bathurst has had a Town Council since 1931 which advises the Government on matters concerning the welfare of its people. In 1944, the Secretary of State for the Colonies approved proposals prepared by the Governor in

consultation with the Council for the creation of a temporary local self-governing body in Bathurst which will undertake certain duties and functions on behalf of the town, at present carried out by the Central Government. The Ordinance, if not extended for a further year, will remain in operation until the end of 1945 and during this period such questions as the basis of the municipal franchise will be considered.

In the Administrative Service an intermediate grade known as "Administrative Assistant" has been opened to Africans. Successful candidates will be given a two-year training in the different branches of Government service, in some cases in other parts of West Africa and in others in the United Kingdom.

On the legal side, among other appointments, two African women have been made Justices of the Peace, and a Barrister-at-Law appointed to the post of Colonial Magistrate. The Government is taking steps to provide special training and education to prepare an increasing number of Africans for responsible posts in the various Departments.

THE GOLD COAST

Alluvial gold, small quantities of which were brought by the natives of the interior to be exchanged for goods provided by the tribes of the coast, first attracted Europeans to the Gold Coast. The Portuguese (who were ousted by the Dutch) and the British all founded trading stations which by the eighteenth century were dealing in slaves rather than gold. The abolition of British slaving was followed by a reduction in the number of British trading stations and those which remained were used after 1820 as bases from which the Royal Navy could operate against the slave trade. The British Government was reluctant to take over the administration of the area, and had it not been for a handful of traders who refused to leave even when ordered to do so, the Gold Coast might have been abandoned altogether. By the time internal disorders and foreign penetration had persuaded Britain to act, French and German annexation had limited her sphere of influence to an area of 90,000 square miles. Part of this, the coastal strip with Accra as its capital, is today administered as a Crown Colony, while the regions of Ashanti and the Northern Territories, under the administration of Chief Commissioners responsible to the Governor of the Colony, are Protectorates. The former German Protectorate of Togoland was placed under British mandate in 1922.

Native Administration and Its Link With the Central Government

The prevailing system of government has been described as a mixture of direct and indirect rule with a bias towards the latter. Native administration is largely in the hands of Chiefs who are assisted by councils of elders representing various sections of the community. Tribunals, with certain powers of jurisdiction in civil and criminal matters, are formed by each Chief and his councillors, but appeal can be made to higher courts.

In the Gold Coast Colony a direct link with the Central Government is formed by Provincial Councils composed of the head Chiefs. These Councils, to whom all important Bills introduced into the

Legislative Council are referred for comment, also elect Chiefs to serve on the Legislative Council which, constituted in 1925, consists of the Governor as President, 15 official members and 14 unofficial members of whom six are elected.

In 1942 the Executive Council, which until then had consisted only of European officials, was strengthened by the appointment of two African members both of whom had had long and distinguished careers as members of the Legislative Council. One of them, Sir Ofori Atta, K.B.E., who had also been President of one of the Provincial Councils and a member of the Gold Coast Board of Education, has since died and his place on the Executive Council has been filled by another African.

Recommendations for constitutional reform in the Gold Coast, announced by the Secretary of State for the Colonies in the House of Commons on October 5, 1944, provide for a substantial unofficial majority on the Legislative Council. Hitherto the Council, with the Governor as President, has consisted of 15 official members and 14 unofficial members, ten of whom were elected. Now, however, there are to be no less than 18 elected members together with six nominated unofficial members, while the official members have been reduced to six.

The Administrative Service Is Open to Africans

The year 1942 saw the opening of the higher grades of the Administrative Service to Africans and the provision of a number of scholarships to provide additional training for suitable candidates. The opening was immediately followed by the appointment of two Africans as Assistant District Commissioners, posts which call for the highest qualities of character and ability. On the legal side, too, an increasing number of appointments are going to Africans. In 1943 alone an African was made Puisne Judge of the Supreme Court (the highest Court in the Gold Coast to which appeals from the local tribunals can be made); three Africans were made District Magistrates; and one a Crown Counsel.

Local Government Reforms

Local government is being reorganized on the lines of a recommendation made by the Governor. Until 1943 the Gold Coast had three town councils, at Accra, Cape Coast and Sekondi, but a fourth, at Kumasi in Ashanti, has now been set up. The new Council has 13 members of whom eight are Africans and, subject to the general control of the Governor, it has a free hand in the administration of the township. The *African Morning Post*, commenting on the establishment of these councils, writes: "One by one the big towns are receiving a franchise which entitles them to the management of their own civic affairs. Step by step we see the country advancing towards the goal of ultimate self-government. This is concrete proof that the British are honorable in their dealings with Africans, and that they are preparing the people to shoulder their own responsibilities in the near future."

NIGERIA

Nigeria, much the greatest British West African holding, had a late nineteenth-century origin, for it was not until 1879 that British

commercial undertakings were consolidated into a Company which established stations in the interior. By this time the French were staking claims in a southeasterly direction from Timbuktu and the ultimate line on which the Anglo-French border would rest thus depended on a Company which frequently found itself in conflict with the warlike Moslem rulers of Northern Nigeria. In 1900, therefore, the Company's charter was withdrawn and its sphere of operations re-organized as the two Protectorates of Northern and Southern Nigeria. In 1906 the Colony of Lagos was combined with the Protectorate of Southern Nigeria, and in 1914 the Northern and Southern Protectorates were amalgamated, the whole being designated the Colony and Protectorate of Nigeria, with Lagos as the seat of Government. In 1923 part of the ex-German dependency of the Cameroons was placed under British mandate.

The Legislative Council for the territory, which was substituted for older legislative bodies in 1922, consists of the Governor as President, 30 official members and 19 unofficial members including three elected African members to represent the municipal area of Lagos and one to represent the municipal area of Calabar. Ten of the 19 unofficial members are Africans, and on the Finance Committee of the Legislative Council, which has definite powers in questions of finance affecting Nigeria as a whole, there is a strong African majority.

In 1942 two Africans and one European were appointed to serve on the Executive Council which, like the Executive Councils of the Gold Coast and Sierra Leone, had previously been confined to European official members.

In March, 1945, the Governor of Nigeria presented to the Secretary of State for the Colonies proposals for the revision of the Constitution of Nigeria designed "to bridge the gulf between the people and the Government by a measure of decentralization and by a widening of the basis of representation, which will bring the established Native Authorities within the legislative machine." In addition to the proposals for three Regional Councils (see section on Indirect Rule) it is recommended that the Legislative Council should be revised. By the inclusion for the first time of representatives of the Northern Provinces the Nigerian Legislative Council will be enabled to legislate for the whole country. The whole range of Nigerian affairs is to be open to debate by the Council. The new Legislative Council is to have an unofficial and an African majority. Of its 49 members, 29 will be unofficial and 25 of these will be African.

These proposals are to be debated in the House of Commons and in the present Nigerian Legislative Council. A debate was held on March 23rd in the Nigerian Legislative Council, and while a number of minor amendments were suggested by the unofficial members, they unanimously supported the proposals.

The Government of the Future

The changes which have taken place in the African territories during the war years show steady progress towards the Africanization of the Government. As more and more Africans become capable of assuming political responsibility, so will positions be found for them from which they can influence the affairs of their people. Indirect Rule is essentially a training ground in local government from

which the Africanization of the Central Government can be made possible. Just as in Britain and the United States, in very different circumstances, parliamentary institutions drew their strength and resilience from local self-government in municipalities and counties, so in the councils and courts of thousands of native administrations Africa's future administrators are learning their job.

NOTE: For the working of Indirect Rule in Nigeria see Section VI.

VIII. FIJI

In May, 1943, the Secretary of State for the Colonies approved the appointment of a Fijian, Major Ratu (Chief) J. L. V. Sukuna, C.B.E., as Adviser on Fijian Affairs, an office which has since been renamed Secretary for Native Affairs. This responsible post, which carries with it membership of the Executive Council of the Colony, was previously held by a European, and Major (now Colonel) Sukuna is not only the first Fijian to hold it but also the first Pacific Island native to have reached the rank of Senior District Commissioner.

The link between the Central Government of the Fiji Islands and the native administration is very close, and the effectiveness with which it works is all the more remarkable when it is remembered that Fiji became part of the British Empire as recently as 1874. A hundred years ago the islands, which, in the words of Sir Harry Luke, lately Governor, were the "cannibal isles *par excellence*," were in such a state of confusion and economic distress that the people through their ruler begged for British annexation. The British Government refused and it was only at the second time of asking that Fiji became a Crown Colony.

Since then internal strife has ceased and considerable social progress has been made particularly in education (96 per cent of the population are literate) and in health measures which are now being promoted largely by Fijian-trained doctors and nurses.

Local Government Which Resembles Indirect Rule

Under a system of local government which preceded and to some extent resembles the Indirect Rule of the African Dependencies and is designed to conform as closely as possible to ancient laws and customs, the Fijian people exercise a considerable measure of control over their own affairs. For administrative purposes the Colony is divided into five districts each with its own District Commissioner and one or more District Officers whose work, as in Africa, is to advise and guide the people but not to rule them.

Every village has its own Headman who, after consultation with the village elders, speaks for his people. The villages are grouped into districts, each group under the control of a Chief. Every district has its district council, to which wider powers in the making of local regulations were given in 1944. The districts in their turn are grouped into provinces, each province under the control of a High Chief. Every province has its own provincial council which reports direct to the Governor through the Secretary for Fijian Affairs and its recommendations become local laws when they have received the Governor's assent.

Europeans, Fijians and Indians in the Central Government

For the Colony as a whole the Great Council of Chiefs gives the Governor authoritative advice on Fijian questions, and it is from a panel of names submitted to him by this Council that the five Fijians who serve on the Legislative Council are selected. There are also five European unofficial members on the Legislative Council, and five Indians to represent their compatriots who, coming to Fiji originally to work on the sugar plantations, are now almost as numerous as the Fijians. The official members of the Legislative Council have a majority of one but the unofficial members are privileged to demand that any matter on which there is a difference of opinion should be referred to the Secretary of State for the Colonies. On the Executive Council, on which Colonel Sukuna will now serve in an official capacity, there are under the presidency of the Governor five official members and two European unofficial members.

By the enactment of the Fijian Affairs Ordinance of 1944, the five Fijian members of the Legislative Council, together with a legal adviser and the Secretary for Fijian Affairs as Chairman, now form a Fijian Affairs Board. This Board legislates for the Fijian community, subject to the approval of the Legislative Council, and largely controls the finances of the Fijian native administration.

Fijians are well represented on local Town Boards which have jurisdiction in urban districts over public health and other measures and in rural districts on Boards which are responsible for the maintenance of public roads. They have their own Native Courts, Provincial and District, in which justice is administered according to a recognized Code of Native Regulations. District Commissioners together with Native Magistrates preside over the Provincial Courts but in the District Courts Native Magistrates sit alone.

When in 1874 Fiji was finally ceded to Britain, Queen Victoria received the following message: "The King gives Her Majesty his old and favorite war club, the former, and until lately the only known, law of Fiji. . . . Many of his people, whole tribes, died and passed away under the old law; but hundreds of thousands still survive to learn and enjoy the newer and better state of things. With this emblem of the past the King sends his love to Her Majesty, saying that he fully confides in Her and in Her Children, who, succeeding Her, shall become Kings of Fiji, to exercise a watchful control over the welfare of his children and people; who, having survived the barbaric law and age, are now submitting themselves under Her Majesty's rule, to civilization."

It may fairly be held that this trust has been respected.

IX. THE SEYCHELLES

The 92 Indian Ocean islands which form the Seychelles lie north from Madagascar and Mauritius. Captured from the French during the Napoleonic Wars, they were governed as a dependency of Mauritius until 1903 when they became a separate Colony under their own Governor assisted by an Executive and a Legislative Council.

The people of the Seychelles, who number only 32,000, are descended, for the most part, from French settlers, but there are also numbers of Africans, the descendants of freed slaves, together with Indians and Chinese who settled on the islands for trading purposes.

Until the present war the people were represented on the Legislative Council by three official and three unofficial nominated members. Soon, however, an elected element is to be introduced, for the Governor announced in January, 1944, that the constitution of the Council is to be amended to provide (with himself as President) for six official and six unofficial members. "During the war," he said, "the six unofficial members will continue to be nominated by the Governor, but as soon after the war as is practicable H.M. Government will be prepared to agree to the introduction of elections in respect of up to three of the unofficial members, if in the meantime it is satisfied that elections are desired by a substantial and representative body of responsible local opinion amongst that part of the community which will be affected."

It will be readily appreciated that with so small a population this announcement marks a considerable advance in political development.

X. CONCLUSION

Political advance, said Colonel the Rt. Hon. Oliver Stanley, Secretary of State for the Colonies, in June, 1944, "will not, and should not, always progress by dramatic bounds from one constitution to another. The fact that a municipal council is now elected instead of nominated, that the powers of native authorities in certain areas have been extended and that in some Colonies the franchise has been lowered, is just as much an important part in the advance towards self-government as more spectacular events."

We have seen this advance in a number of territories. In others, not mentioned here as having made progress within the past few years, education towards political responsibility, the essential preliminary to progress, is being ceaselessly pursued. Britain has evolved a sound and healthy system, infinite in its powers of expansion, positive in its scope of achievement. In the quiet and steady building up of democratic institutions lies its unity and its strength.

